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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/516,526	12/02/2004	Lutz Telljohann	P70008US0	3069
136	7590	12/04/2006	EXAMINER	
JACOBSON HOLMAN PLLC 400 SEVENTH STREET N.W. SUITE 600 WASHINGTON, DC 20004			HINZE, LEO T	
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 12/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/516,526

Applicant(s)

TELLJOHANN, LUTZ

Examiner

Leo T. Hinze

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 20050809.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

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DETAILED ACTION

Claim Objections

1. Claim 3 is objected to because of the following informalities: the term “ink tank” in line 2 lacks the proper antecedent basis. To expedite prosecution, the examiner will interpret this term as “a tank”.
2. Claim 4 is objected to because of the following informalities: the term “vacuum pump” in lines 3-4 lacks the proper antecedent basis. To expedite prosecution, the examiner will interpret this term as “pumping devices”.
3. Claim 7 is objected to because of the following informalities: the term “the two pumping devices” in lines 3-4 lacks the proper antecedent basis. To expedite prosecution, the examiner will interpret this term as “pumping devices”.
4. Appropriate correction and/or clarification is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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a. Claim 1 recites the limitation "parameters have been preset and which do not change during operation." It is not clear which parameters are being referred to.

7. Appropriate correction and/or clarification is required.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1-7 rejected under 35 U.S.C. 102(e) as being anticipated by Heller et al., US 2003/0084805 A1 (hereafter Heller).

a. Regarding claim 1, Heller teaches process for supplying printing ink to and educating printing ink from a squeegee device of an inking system on a rotary printing press, which comprises a squeegee blade carrier (Fig. 2), provided with a longitudinally running trough, with squeegee blades that are adjustable on a form inking roller or on an anilox roller, which, together with the form inking roller (9, Fig. 1) and the trough (11, Fig. 1), delimit an ink chamber, and comprise lines and pumping devices (19, 21, Fig. 1) powered by motors (23, Fig. 1) for supplying and educating the ink into and out of the ink chamber, thus characterized that motors are used whose parameters have been preset and which do not change during operation of the motors and that, when required, a portion of the ink from the ink stream led away from the squeegee

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device is rechanneled to the feed line (ink from return line returns to tank 7 where it is returned to feed line, Fig. 1).

b. Regarding claim 2, Heller teaches all that is claimed as discussed in the rejection of claim 1 above. Heller also teaches that at least one line (51, Fig. 1) branches off from the feed line.

c. Regarding claim 3, Heller teaches all that is claimed as discussed in the rejection of claim 2 above. Heller also teaches that the line leads back to a tank (53, Fig. 1).

d. Regarding claim 4, Heller teaches all that is claimed as discussed in the rejection of claim 1 above. Heller also teaches at least one line (27, Fig. 1) leads from the pressure side of the vacuum pump to the feed line of the squeegee device (Fig. 2).

e. Regarding claim 5, Heller teaches all that is claimed as discussed in the rejection of claim 2 above. Heller also teaches throughflow regulating valve (37, Fig. 1) is arranged in at least one line.

f. Regarding claim 6, Heller teaches all that is claimed as discussed in the rejection of claim 5 above. Heller also teaches for monitoring the quantity of ink present in the squeegee device (1), a sensor (63, Fig. 1) is provided whose signals are processed through a closed loop control circuit that regulates the throughflow regulating valve (37, Fig. 1) in such a manner that the quantity of ink circulating in the squeegee device is always maintained within specified limits (§ 74).

g. Regarding claim 7, Heller teaches all that is claimed as discussed in the rejection of claim 1 above. Heller also teaches that the two pumping devices comprise two chambers of a double diaphragm pump with only one drive shaft (§ 61).

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Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leo T. Hinze whose telephone number is (571) 272-2167. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Leo T. Hinze
Patent Examiner
AU 2854
14 November 2006


JUDY NGUYEN
SUPERVISORY PATENT EXAMINER